

Mr. BOUCHER: With reference to the point I raised about annual salary my memory goes back to Rabbie Burns' lines:

The best laid plans o' mice and men  
Gang aft agley.

The president of the civil service association and the government may have the desire to do the very thing we want, but in paragraph (b) the words used are "annual salary" of any officer and the same paragraph says "permanent officer". If it were to say that for the purposes of this act a permanent officer in receipt of an annual salary would be eligible it would be much clearer. Then (b) (i) says:

is in receipt of salary computed at an annual rate of at least six hundred dollars.

If it were to say, if he is in receipt of a salary computed annually to the amount of six hundred dollars, it would be much clearer.

I am not impressed with the minister's suggestion that because clause 9 gives certain powers to make regulations, the regulations can go beyond the act itself. If paragraph (b) of clause 1 limits the scope of the application of the act, as I think it does, I submit that no regulation can enlarge it. I believe that the minister's intention is all right, but I think he should reconsider the language, because under the present interpretation the salary must be an annual one to bring the recipient within the confines of the act. I wonder whether the minister would not reconsider it.

Mr. ST. LAURENT: If the hon. gentleman will look at it he will see that it deals first of all with:

any permanent officer, clerk or employee in the civil service who is in receipt of a stated annual salary—

And,

—any other officer, clerk or employee in the civil service. . . .

other than those in receipt of an annual salary. What can it mean if that is not what it means?

Mr. BLACK (Yukon): In reference to what I said with regard to the ruling on paragraph (1) of this bill, which was given by the deputy minister of justice in 1930, he was not referring to specific cases. Nor was he referring to a specific case when his original ruling or opinion was given in 1924, which opinion I read to the committee and I will read again. He was not referring to any one particular case or any one particular civil servant, but generally; he was interpreting the wording of that section.

Contributions must include 5 per cent of the value of living and residential allowances, both in respect of past service and in respect of future service.

The sum of 5 per cent must be deducted monthly from both the salary and living allowances from the date of election.

Those original decisions and opinions went without question until 1930, until that group came here to try to get their money back out of the superannuation fund; and I did not wait to come into the House of Commons to use such efforts as I could. I said it to the deputy minister personally. If the minister cares to have the files looked up he will find my letters on record. I communicated with the Minister of Finance of that day, the Prime Minister and the chairman of the treasury board.

I will give another instance of how far it went. All the civil servants of the Yukon at that time were not paid salary in two ways, part as salary and part as living allowance; some got a complete salary headed as "salary". One of them getting a salary died. Then came the calculation of what his widow's pension would be. Instead of calculating that on the five per cent which had been paid by that civil servant on his salary they said, "If he was not paid a living allowance, part of what was paid to him as salary should have been living expense; therefore we will pension this widow as if it were part salary and part living allowance", and that went through the treasury board until I showed them what they were doing in robbing that woman. They could not believe it, and asked whose responsibility it was, and I said, "Your secretary". You can find who the secretary was at that time. They righted that wrong; and the wrong which is being done to civil servants and retired civil servants and widows should be righted, and they should not have to go to the exchequer court to get it done.

Mr. KNOWLES: I was very glad that the Minister of Justice placed on record a letter he received from the president of the civil service federation of Canada. I am sure that we are glad to have that statement of their satisfaction as an organization with the bill which has been brought in. I think, however, the members of the civil service federation and civil servants generally would feel that we as members of parliament are not absolved by such a declaration on their part from closely scrutinizing the bill and asking the questions which come to our minds from a study of these various sections.

So far as section 1 is concerned, the wording of it is quite clear to me; I interpreted it along the lines that the minister explained. It takes care of the permanent people on a stated annual salary, as was already the case, and it goes farther in that it gives the treasury